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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,102	04/18/2004	Christopher Nigel Alexander Brighouse	JAR-001	1455
22832	7590	11/03/2006	EXAMINER	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP STATE STREET FINANCIAL CENTER ONE LINCOLN STREET BOSTON, MA 02111-2950			CABUCOS, MARIE G	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/827,102	BRIGHOUSE ET AL.	
	Examiner Marie Antoinette Cabucos	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 18 April 2004.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 18 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-14 are directed towards method steps, which can be practiced mentally in conjunction with pen and paper, therefore, they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the method steps. The claimed steps do not define a machine or computer implemented process. (The examiner suggests applicant to change "method" to "computer implemented method" in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

### ***Double Patenting***

3. Claims 3 and 10 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 2 and 9, respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being unpatentable by Barinov et al (US Publication no. 2004/0025171).

Regarding claim 1, Barinov discloses in figure 4 a method of cataloging substantially all interactions with substantially all versions of a document on a computer network comprising determining that the document has entered the network (304); creating a history for the document, the history comprising references to each copy of the document on the network and each version of the document on the network (302); and updating the history each time a copy of the document or a version of the document is interacted with (paragraph 0024).

6. Regarding claims 2-5 and 9-12, Barinov discloses in figure 4, further comprising analyzing an interaction with the document to determine if an alert should be generated (paragraph 0033); disallowing an interaction with the document if the interaction is not permissible (paragraph 0031); and determining the document is same as a preexisting document residing in the computer network (paragraphs 0028 to 0029).

7. Regarding claims 6, 7, 13 and 14, Barinov discloses in figure 4, further comprising utilizing a hash function to determine if the document is the same as the

preexisting document (paragraphs 0080 to 0096); and storing the history in a database (302).

8. Regarding claim 8, Barinov discloses in figure 4 a method of tracking documents on a computer network comprising receiving an indication that either a copy of a document or a version of the document has been accessed (paragraph 0008); determining if a history for the document exists (302); and updating the history assigned to the document (paragraph 0024).

9. Regarding claim 15, Barinov discloses in figure 4 a system for tracking documents on a computer network comprising a pre-processing module that receives a signal indicating that a document in the computer network has been accessed by a user (304); a processing engine that analyzes the signal to determine if the document is the same as a pre-existing document having a history associated therewith (paragraph 0036); and a notification engine that causes the user of the document to be notified if the document being accessed has pre-defined characteristics (paragraph 0008).

10. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being unpatentable by Martin et al (US Patent no. 7,010,588).

Regarding claim 1, Martin discloses in figure 3 a method of cataloging substantially all interactions with substantially all versions of a document on a computer network comprising determining that the document has entered the network; creating a history for the document, the history comprising references to each copy of the document on the network and each version of the document on the network; and

updating the history each time a copy of the document or a version of the document is interacted with (col. 4, lines 34-47).

11. Regarding claims 2-5 and 9-12, Martin discloses in figures 2 and 3, further comprising analyzing an interaction with the document to determine if an alert should be generated; disallowing an interaction with the document if the interaction is not permissible; and determining the document is same as a preexisting document residing in the computer network (col. 11, lines 4-12).

12. Regarding claims 6, 7, 13 and 14, Martin discloses in figures 2 and 3, further comprising utilizing a hash function to determine if the document is the same as the preexisting document; and storing the history in a database (17).

13. Regarding claim 8, Martin discloses in figure 3 a method of tracking documents on a computer network comprising receiving an indication that either a copy of a document or a version of the document has been accessed (paragraph 0008); determining if a history for the document exists (302); and updating the history assigned to the document (paragraph 0024).

14. Regarding claim 15, Martin discloses in figure 3 a system for tracking documents on a computer network comprising a pre-processing module that receives a signal indicating that a document in the computer network has been accessed by a user; a processing engine that analyzes the signal to determine if the document is the same as a pre-existing document having a history associated therewith; and a notification engine that causes the user of the document to be notified if the document being accessed has pre-defined characteristics (col. 2, lines 40-58).

***Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art of record to Tore J.M. Risch (US Patent no. 5,471,629) discloses a method of monitoring changes in an object-oriented database with tuned monitors.

Prior art of record to Koerber et al (US Patent no. 5,701,472) discloses a method locating a versioned object within a version tree depicting a history of system data and processors for an enterprise.

Prior art of record to John H. Howard (US Patent no. 6,098,079) discloses a file version reconciliation using hash codes.

Prior art of record to Cynthia Saracco (US Patent no. 6,691,097) discloses a technique for detecting a shared temporal relationship of valid time data in a relational database management system.

Prior art of record to Cho et al (US Publication no. 2004/0073646) discloses an apparatus and method for providing real-time information.

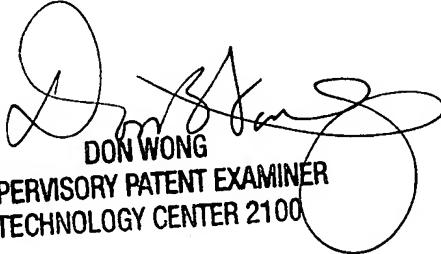
***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie Antoinette Cabucos whose telephone number is 571-272-8582. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marie Antoinette Cabucos  
Examiner  
Art Unit 2163



DON WONG  
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